

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Challener et al.) Art Unit: 2132
)
Serial No.: 10/735,388) Examiner: Corbann Banks
)
Filing Date: December 12, 2003) Atty. Docket#: RPS920020048US1
)
For: **SYSTEM AND METHOD FOR PROVIDING**
ENDORSEMENT CERTIFICATE) April 25, 2007
) 750 "B" Street, Suite 3120
) San Diego, CA 92101

TRANSMITTAL AND PETITION TO WITHDRAW
HOLDING OF ABANDONMENT UNDER CFR §1.181

Commissioner for Patents
Alexandria, VA 22313

Dear Sir:

Applicant requests that the holding of abandonment be withdrawn and the application be returned to the publications branch for issuance.

The Notice of Abandonment dated March 30, 2007 states the reason for abandonment as applicant's failure to timely file corrected (formal) drawings. Applicant submits herewith proof that corrected formal drawings were indeed timely filed as reflected on PAIR and as evidenced by the enclosed copies date stamped received by OIPE on May 13, 2004.

Enclosed are the following:

1. Copy of the notice of abandonment
2. Copy of imaged file wrapper from PAIR
3. Copy of the Notice to File Corrected Application Papers dated March 22, 2004
4. Copy of the transmittal response to the Notice to File Corrected Application Papers, stamped received by OIPE on May 13, 2004
5. Copy of the formal drawings stamped received by OIPE on May 13, 2004
6. Acknowledgment postcard.

Respectfully submitted,


John L. Rogitz
Attorney of Record
Registration No. 33,549
750 "B" Street, Suite 3120
San Diego, CA 92101
Telephone: (619) 338-8075

We are transmitting a total of 9 page(s) including this cover sheet.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,388	12/12/2003	David Carroll Challener	RPS920020048US1	1698
63203	7590	03/30/2007		
ROGITZ & ASSOCIATES			EXAMINER	
750 B STREET			BANKS, CORBANN	
SUITE 3120			ART UNIT	PAPER NUMBER
SAN DIEGO, CA 92101			2132	
			MAIL DATE	DELIVERY MODE
			03/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment	Application No.	Applicant(s)
	10/735,388	CHALLENGER
	Examiner	Art Unit
	BANKS	2132

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address—

This application is abandoned in view of:

1. Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 (a) A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 (b) A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 (c) A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 (d) No reply has been received.
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTO-85).
 (a) The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTO-85).
 (b) The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
 The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 (c) The issue fee and publication fee, if applicable, has not been received.
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 (a) Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 (b) No corrected drawings have been received.
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

10/735,388

SYSTEM AND METHOD FOR PROVIDING ENDORSEMENT CERTIFICATE

04-10-

2007::11:40:08

This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

Available Documents

Mail Room Date	Document Description	Document Category	Page Count
03-30-2007	Abandonment	PROSECUTION	2
01-25-2007	Bibliographic Data Sheet	PROSECUTION	1
01-17-2007	Issue Fee Payment (PTO-85B)	PROSECUTION	1
01-17-2007	Change of Address	PROSECUTION	1
12-04-2006	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3
12-04-2006	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3
12-04-2006	List of References cited by applicant and considered by examiner	PROSECUTION	1
12-04-2006	List of references cited by examiner	PROSECUTION	1
12-04-2006	Issue Information Including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
12-04-2006	Bibliographic Data Sheet	PROSECUTION	1
12-04-2006	Index of Claims	PROSECUTION	1
12-04-2006	Search information including classification, databases and other search related notes	PROSECUTION	1
11-20-2006	Examiner's search strategy and results	PROSECUTION	2
11-11-2006	Examiner's search strategy and results	PROSECUTION	1
08-17-2006	Fee Worksheet (PTO-06)	PROSECUTION	1
08-17-2006	Amendment - After Non-Final Rejection	PROSECUTION	1
08-17-2006	Claims	PROSECUTION	5
08-17-2006	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	4
08-08-2006	Non-Final Rejection	PROSECUTION	8
08-08-2006	List of References cited by applicant and considered by examiner	PRIOR ART	1
08-08-2006	List of references cited by examiner	PRIOR ART	1
08-08-2006	NPL Documents	PRIOR ART	332
08-08-2006	Index of Claims	PROSECUTION	1
08-08-2006	Search information including classification, databases and other search related notes	PROSECUTION	2
08-08-2006	Bibliographic Data Sheet	PROSECUTION	1
07-19-2006	Examiner's search strategy and results	PROSECUTION	2
08-23-2005	Notice of Change of Address placed in File Wrapper due to EBC Customer Number update	PROSECUTION	1
05-28-2004	Fee Worksheet (PTO-06)	PROSECUTION	2
05-28-2004	Information Disclosure Statement (IDS) Filed	PROSECUTION	2
05-13-2004	Drawings	PROSECUTION	2
03-22-2004	Pre-Exam Formalities Notice	PROSECUTION	1
12-12-2003	Transmittal of New Application	PROSECUTION	1
12-12-2003	Authorization for Extension of Time all replies	PROSECUTION	1
12-12-2003	Specification	PROSECUTION	8
12-12-2003	Claims	PROSECUTION	5
12-12-2003	Abstract	PROSECUTION	1
12-12-2003	Drawings	PROSECUTION	2
12-12-2003	Oath or Declaration filed	PROSECUTION	4
12-12-2003	Fee Worksheet (PTO-06)	PROSECUTION	1
12-12-2003	Fee Worksheet (PTO-06)	PROSECUTION	1

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/735,388	12/12/2003	David Carroll Challenger	RPS20020048US1

25299
 IBM CORPORATION
 PO BOX 12195
 DEPT 9CCA, BLDG 002
 RESEARCH TRIANGLE PARK, NC 27709

PC COMPANY
 LEGAL DEPARTMENT
 RALEIGH

CONFIRMATION NO. 1698

FORMALITIES LETTER



0000000012156718

'04 MAR 24 A10:39

Date Mailed: 03/22/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-2.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Plurdy
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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MAY 13 2004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Group Art Unit: 2127

Dave C. Challener et al;

Examiner: unknown

Serial Number: 10/735,388

RPS920020048US1

Filed: December 12, 2003

Customer No. 25299

Title: SYSTEM AND METHOD FOR PROVIDING ENDORSEMENT CERTIFICATE

SUBMISSION OF FORMAL DRAWINGS

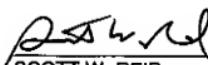
Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
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Dear Sir:

In response to the *Notice to File Corrected Application Papers* dated March 22, 2004, applicants hereby submit two (2) sheets of formal drawings for Figs.1 - 2 .

Respectfully submitted,

By:


SCOTT W. REID
Registration No.42,098
(919) 254 1085

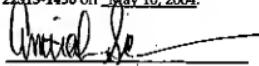
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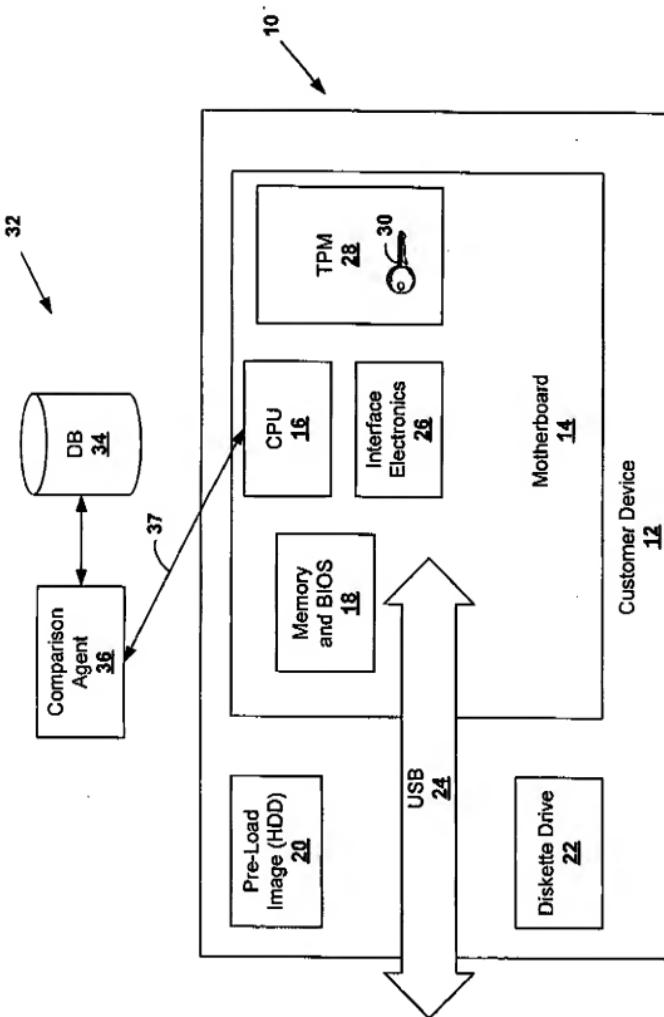


Fig. 1

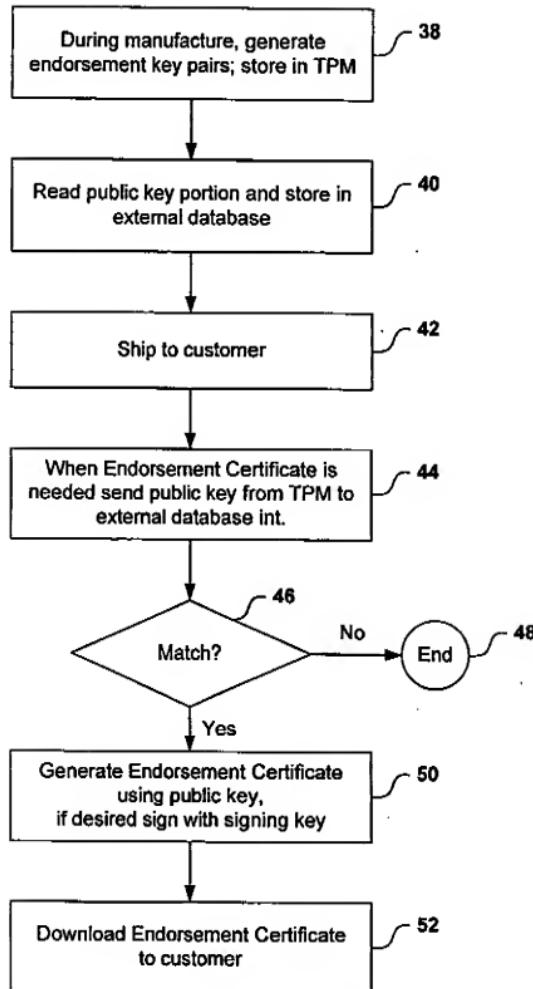


Fig. 2